

VIEUX CARRE COMMISSION

Mitchell J. Landrieu  
MAYOR

CITY OF NEW ORLEANS

Lary P. Hesdorffer  
EXECUTIVE DIRECTOR

Minutes of the Vieux Carré Commission meeting of Wednesday, May 6, 2015.

**COMMISSIONERS PRESENT:** Nicholas S. Musso, Chairman  
Daniel C. Taylor, Vice-Chairman  
Leslie S. Stokes, Secretary  
C.J. Blanda  
Jorge A. Henriquez  
Michael A. Skinner

**COMMISSIONERS ABSENT:** Patricia C. Denechaud

**STAFF PRESENT:** Lary P. Hesdorffer, Director; Nicholas G. Albrecht, Building Plans  
Examiners; Erin Vogt, Building Plans Examiner; Erika Gates, Inspector;  
Melissa Quigley, Assistant City Attorney.

**OTHERS PRESENT:** John Baus, Robert Cangelosi, Carl Causey, James Farr, Bev Fulk, Susan  
Guillot, Edmond Haase III, Mark Klaybor, Dean Lacy, Brent Lemoine, Meg  
Lousteau, Elizabeth Magner, Kathleen Manning, David McMurphy, Pat  
Meadowcroft, Marsha Miller, Don Morgan, Corinne Morrison, Betty  
Norris, Robert Pell, Hudson Rogers, Hank Smith, Richard Volker, Jonathan  
Weber & Tee Zimmermann.

**AGENDA**

**I. ROLL CALL**

Chairman Musso called the meeting to order at 1:37 PM. The Director called the roll, noting the presence of a quorum with six (6) of the seven (7) seated Commissioners in attendance. He added that four (4) positive votes are needed in order to pass any action.

**II. REVIEW OF MINUTES**

Mr. Taylor moved, Mr. Skinner seconded, to accept the minutes of the Vieux Carré Commission meeting of April 1, 2015, as distributed. The motion passed unanimously.

**III. CHAIRMAN'S REPORT**

The Chairman noted that due to the length of the agenda there would be no Chairman's Report at this meeting.

**IV. DIRECTOR'S REPORT**

The Director, also noting the agenda's length, passed on giving a formal report.

**V. SPECIAL ORDER OF BUSINESS - Review of final draft of updated & revised VCC Design Guidelines, submitted by the VCC Foundation and prepared by Preservation Design Partnership, LLC, Principal-in-Charge: Dominique M. Hawkins, AIA and recommended for approval by the Architectural Committee**

The Chairman gave a brief synopsis of the year long process that had been underway and the resulting draft of the VCC's Design Guidelines. He noted that the guidelines are not hard and fast rules but a collection of recommendations that serve as principles for dealing with all aspects of building treatment in the French Quarter. He added that much of the content is similar or the same as that which had been in the last volume (prepared in 1986), the new draft is much more comprehensive and should serve the "user public" in a better way. He noted that each Commissioner had received a copy for review.

Without need for further discussion, Mr. Taylor moved, Mr. Blanda seconded, to accept the draft guidelines and to forward them to the City Council for ratification of the adoption. The motion passed unanimously.

**VI. NEW BUSINESS**

924 Dauphine St: Robert Pell, applicant; Vieux Carre Holdings LLC, owner; Proposal to construct new accessory building on Bourbon side of property, per application & revised drawings received 02/24/15 & 04/21/15, respectively.

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Mr. Albrecht gave the staff report with Mr. Pell present as applicant. With no further discussion being necessary, Mr. Taylor moved, Mr. Henriquez seconded, to **approve** the proposal to construct a new building at the rear of the property, consistent with staff analysis and recommendations of May 6, 2015. The motion passed unanimously.

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1129 Burgundy St: John Mills, applicant; Charles A Miller, owner; Proposal to install swimming pool in courtyard per application & drawings received 03/27/15.

Mr. Albrecht again gave the staff presentation with Mrs. Miller in attendance on behalf of the application. With no discussion necessary, Mr. Taylor moved to **approve** the construction of the new pool in the patio, consistent with staff analysis and recommendations of May 6, 2015. Ms. Stokes seconded the motion which passed unanimously.

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916 Governor Nicholls St: Robert Cangelosi, Jr., applicant; Michael W Magner, owner; Proposal to renovate building and to demolish 20<sup>th</sup> century courtyard addition, per application & plans received 03/26/15 & 04/08/15, respectively. **[NOTE: this meeting marks the beginning of the 30-day layover period.]**

Ms. Vogt gave the staff report with Mr. Cangelosi present as applicant. Mr. Cangelosi stated that the proposed auto entry/garage is needed for his client's security concerns as a federal judge, and that none of the original alley-side wall would be removed to accommodate the creation of the internal parking area for a very small vehicle. Mr. Musso stated that, given the circumstances, he did not object to the addition of a carriageway. He asked the applicant if a caveat could be added that would require the auto entry gate be removed upon transfer of property. During this discussion, Judge Magner arrived and stated that she would agree to the proviso that the carriageway would be removed before selling the property in future. Mr. Cangelosi reiterated that the restoration of the rear stair hall will further return more of the property to the VCC's jurisdiction. Mr. Taylor moved to **approve** the proposal consistent with staff analysis and recommendations of May 6, 2015, as stated, with the exception that the auto entry will be allowed with the proviso that it will be removed upon transfer of property. Mr. Blanda seconded, and the motion passed unanimously.

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## VII. CHANGE OF USE HEARINGS

822 Barracks St: Nicole Hill, applicant; Lauricella Bourbon Properties, LLC, owner; Proposal to renovate buildings and converting former Maison Hospitaliere buildings to a 4-unit condominium complex, in conjunction with a **change of use** from *vacant* to *residential*, per application & revised materials received 08/12/14 & 04/01/15, respectively.

Mr. Albrecht gave the staff presentation with Messrs. McMurphy, Lemoine, and Lacy representing the application. Mr. Skinner asked if there was parking provided for the condominiums. Mr. McMurphy stated parking for the units in the 822 Barracks will be provided as part of existing parking that is located on an adjacent parcel fronting on Bourbon St.

Mr. Taylor moved for **approval** consistent with staff analysis and recommendations of May 6, 2015. Mr. Skinner seconded the motion which passed unanimously.

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1220 Dauphine St: Nicole Hill, applicant; BarDa Properties LLC, owner; Proposal to demolish main structure as well as miscellaneous additions, construct three new buildings and renovate existing rear wing, in conjunction with a **change of use** from *vacant* to *residential*, converting former Maison Hospitaliere site and building into a 6-unit condominium complex, per application & revised materials received 08/12/14 & 04/21/15, respectively. **[NOTE: this meeting marks the beginning of the 30-day layover period.]**

Mr. Albrecht gave the staff presentation with Messrs. McMurphy, Lemoine, and Lacy representing the project. Mr. Farr spoke, representing the neighbors, Mr. & Mrs. Nowalski, and asked that the 30-day layover period be honored and further commended the applicants for the new design. Mr. Baus spoke stating his belief that the new design will be a great addition to the neighborhood.

Mr. McMurphy asked about removing glazed sections of the glass linking structure in order to facilitate work on the adjacent 822 Barracks site. Mr. Musso asked if anyone objected to the removal of the storefront glass of the 1980s enclosure. Without objections, Mr. Taylor moved for **conceptual approval** of the new design consistent with staff analysis and recommendations of May 6, 2015, to begin the 30-day layover period in reference to the 1220 Dauphine main building, and to waive the layover period solely for the removal of glass storefront of the 1980s addition, as requested and outlined. Mr. Skinner seconded the motion which passed unanimously.

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515 Toulouse St, 517-31 Toulouse St, & 516 Wilkinson St: Harry Baker Smith Architects, applicant; 515 Toulouse LLC, owner; Proposal to renovate buildings, including demolition of courtyard infill, in conjunction with **change of use** from *vacant* to *residential/commercial*, per application & revised drawings received 03/10/15 & 04/21/15, respectively.

Mr. Albrecht gave the staff presentation regarding the 515 Toulouse and 516 Wilkinson buildings with Messrs. Smith and Jonathan Weber in attendance representing the application.

Following the project description for those two buildings, the Chairman opened the floor for public comments. Betty Norris expressed her concern for the proposed height and that the neighboring building would be compromised. Edmond Haase, representing the Causeys (neighboring property owners), stated objections to the additional height and the VCC would be hard pressed to make decisions without updated plans since the Architectural Committee's review. Pat Meadowcroft asked that speakers be allowed to address the height questions after the presentation is made for the 517-31 Toulouse building.

Mr. Hesdorffer clarified that many speakers are likely concerned with the increased height proposed for the 517 Toulouse building rather than with the rest of the plans affecting the buildings at 515 Toulouse/516 Wilkinson. Following this Mr. Albrecht gave the staff presentation regarding the 517 Toulouse building.

Following the presentation, Ms. Meadowcroft, president of VCPORA, stated that zoning laws are in place to govern height and the proposal goes beyond the allowed height. Therefore she urged the Commission to deny the request for increased height as it would fail to respect the investment of residents by not protecting them against such a change. Meg Lousteau, Executive Director of VCPORA, stated that the 50 ft. height limit is critical in protecting the architectural character of the neighborhood and asked that the limit be maintained. Susan Guillot, president of French Quarter Citizens, asked that the Commission deny the request for any height variance over 50 ft., adding that the owner knew the height limited when the property was purchased. Carl Causey, adjacent property owner, stated his objections to the design, noting that the proposal violates a number of rules regarding height increase.

Hank Smith stated that the proposed addition fits within the guidelines and that the project conforms to provisions outlined in Section 8.10.1 of the CZO pertaining to redevelopment of existing buildings in the Vieux Carre, concerning the proposed density. He also noted that the proposed height increase at 517 Toulouse is still lower than the neighboring historic buildings (515 Toulouse/516 Wilkinson) which are part of the project. In further comments, Mr. Smith added that rather than erasing the lot lines through resubdivision, his clients were seeking to maintain the current lot configurations but be allowed to create the single development by utilizing cross easements for the single project on the multiple parcels.

Mr. Skinner stated that he believes the height limit should be maintained since anything greater will allow more to be seen, which he felt would be disruptive in appearance. Mr. Blanda asked if a shorter penthouse with lower ceiling heights would be possible. Mr. Smith stated it may be possible to lower the height a foot or two.

Mr. Musso stated the applicants could choose to return to the Architectural Committee with a modified proposal concerning the height or the matter could be voted on now. Mr. Smith stated the developers have time constraints concerning scheduled hearings before the BZA. However, he added that the penthouse design could be reduced to a total height of 52'3", consistent with the overall height of the existing skylights/roof monitors. For clarity, Mr. Taylor asked about the earliest design proposal that had employed a much taller pitched roof with the peak at 68'. Despite that, the current proposal no longer employs that roof design nor the associated height. Mr. Causey again spoke about what could then be added to a flat roof with a deck installation for outdoor space.

Mr. Taylor moved, regarding to 515 Toulouse & 516 Wilkinson, to **approve** the application consistent with the staff analysis and recommendations of May 6, 2015. In regard to 517-31 Toulouse, Mr. Taylor moved to **approve** the proposal consistent with staff analysis and recommendations of May 6, 2015 provided that the tallest point of the proposed design no exceed the height of the existing skylights/roof monitors and that those heights be verified through the use of electronic technology. The motion died for lack of a second.

Mr. Skinner then moved to **return** the proposal for 517-531 Toulouse to the Architectural Committee to modify the design and to maintain the height restriction of 50' for the rooftop addition, and further to **approve** the proposal for 515 Toulouse/516 Wilkinson consistent with staff recommendations of May 6,

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2015. Mr. Henriquez seconded the motion which passed with affirmative votes from Mr. Blanda, Ms. Stokes, Mr. Skinner, and Mr. Henriquez. Mr. Taylor and Mr. Musso voted against.

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309 Chartres St: Robert Pell, applicant; SA Mintz, LLC, owner; Proposal to renovate building, including construction of penthouse, in conjunction with **change of use** from *commercial/vacant* to *commercial/residential*, per application & plans received 03/24/15 & 04/21/15, respectively.

Ms. Vogt gave the staff report presentation with Mr. Pell representing the application. After a brief statement by Mr. Pell announcing pending application to the Board of Zoning Appeals, Mr. Taylor moved to grant **conceptual approval** of the proposal, including the **anticipated change of use**, consistent with staff analysis and recommendations of May 6, 2015, as recommended by the Architectural Committee. Ms. Stokes seconded the motion which passed unanimously.

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## VIII. APPEALS AND VIOLATIONS

403 Royal St: John C. Williams, applicant; Cloud Nine LLC Royal, owner; Proposed resolutions to mechanical and extraneous violations, per application & drawings received 11/18/14 and 04/30/15, respectively. [STOP WORK ORDER issued 07/12/11]

Ms. Vogt presented the staff report with Mr. Williams in attendance on behalf of the application. Brian Medus, Assistant Chief Mechanical Inspector for the Department of Safety and Permits (S&P), was present to ask the Commission when outstanding violations and life safety concerns could be addressed by S&P. Mr. Musso stated that the VCC's Architectural Committee has expressed the need for a comprehensive set of documents outlining current VCC and S&P violations before the Commission would lift the Stop Work Order (SWO). Mr. Williams said that he had been working with VCC staff to produce documents addressing VCC violations, and could not address S&P violations until the SWO is lifted. In his own powerpoint presentation, Mr. Williams outlined proposed work that had not yet been seen by the Architectural Committee, and requested that the Commission lift the SWO in order to complete painting, waterproofing and roof repairs. Mr. Musso commented that the proposal lacked necessary details regarding waterproofing, and that the applicant would be required to provide specifications and drawings before the required VCC approval would be possible, noting that decisions are the purview of the Commission when pertaining to buildings of National Significance.

Mr. Medus addressed the Commission again, saying that there were multiple S&P violations that were not listed or shown in the applicant's submittal or presentation. He said that the unpermitted work includes the following

- Additional HVAC equipment, including a ductless mini split attached to the purple rated service building
- Kitchen hood exhaust has been altered and extended
- No mechanical platforms are available for equipment maintenance
- Water heating equipment puncturing the roof

Mr. Medus commented that these violations have not been addressed with the Mechanical Division and no drawings or applications have been submitted to S&P to address resolution or permitting. Mr. Musso stated that all VCC and S&P violations should be addressed to the Commission simultaneously. Mr. Hesdorffer said that no repair or improvements could proceed until the SWO is lifted, and that the staff recommendation was based upon addressing VCC violations immediately so that other resolutions could follow. He added that the VCC could consider partially lifting the SWO so that minor work could commence while other corrections are addressed in a timely fashion. Mr. Musso disagreed, maintaining that the planning for all alterations should be addressed comprehensively before proceeding with any of the work, in order to guarantee that all of the violations will be resolved. Mr. Hesdorffer commented that moving forward with lifting the SWO would allow minor work to be resolved, and that detailed specifications could be reviewed by the Architectural Committee before permits are issued by the VCC for the more complex work. Mr. Taylor remarked that partial approval of necessary work probably could be possible were it not for the extensive history of the violations and incomplete documentation.

Mr. Blanda asked if the SWO could be lifted on waterproofing and painting exposed materials, particularly considering the significance of the property. Mr. Musso said that penetrations by unpermitted mechanical equipment may be contributing to the water intrusion. Mr. Williams stated that the most important concerns are regarding water intrusion, but that the current application addresses VCC violations first in order to have the SWO lifted. He continued to say that more detailed drawings could be submitted at a later date. Mr. Hesdorffer explained that even minor work regarding a purple-rated building has to be reviewed by the Architectural Committee as well as the Commission and that because of the highest rating,

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staff has no authority to issue permits of a substantive nature. Mr. Blanda asked if waterproofing could be prioritized by the Commission in order to prevent further deterioration, resulting from the current deficiencies.

Mr. Hernandez moved to **refer** the application to the Architectural Committee in order for further review of waterproofing details. The motion died for lack of a second. Mr. Blanda offered a subsequent motion that the **SWO be lifted** for work pertaining to waterproofing and painting and that all other violations involving unpermitted work be resolved at a later date. Mr. Taylor asked what waterproofing systems would be approvable, considering that technical specifications had not been submitted to the VCC, or reviewed by the Architectural Committee. Mr. Blanda then stated that the application should be sent back to the Committee for review. Mr. Blanda's subsequent motion to partially lift the SWO also died for lack of a second.

Mr. Williams stated that an application had recently been submitted by the owner, including specifications for waterproofing, but no documentation of this application was provided. Mr. Williams expressed concern that an application for waterproofing would not be approvable due to the SWO in place, and requested that a permit be issued by staff for painting of the building. Mr. Hesdorffer reminded Mr. Williams that staff has no authority to issue permits of substantive nature on purple-rated buildings, regardless of the SWO, and that review by the Committee and Commission would be necessary for any work. He also restated that the VCC has not received any submittals from the applicant or the owner regarding waterproofing.

Mr. Musso requested new or revised motions from the floor. Mr. Blanda revised his earlier motion to recommend that the SWO be lifted solely the purposes of waterproofing and paint, requiring that specifications be provided for the Architectural Committee to review before permitting, and that once that work is completed, the applicant has 120 days to complete work on all other violations. This third motion died for lack of a second.

Mr. Musso requested a fourth motion, stating that failure to second a fourth motion would result in automatic deferral. Mr. Taylor moved for **defer** action on the proposal. Ms. Stokes seconded the motion which passed unanimously. Mr. Taylor instructed the applicant to submit waterproofing details so that the Architectural Committee can review them and then, if approvable, the Committee could recommend that the Commission lift the SWO for that specific work even if additional time is needed to address the other conditions. Mr. Musso went on to recommend that Mr. Williams gather the waterproofing data tomorrow to submit them the next day so that they could be reviewed in the quickest possible time-frame. Mr. Williams asked if that meant the Architectural Committee's recommendation could be heard by the VCC in June. Mr. Musso replied that it could.

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1000 Toulouse St: R. Volker Waterproofing, LLC, applicant; Hudson S Rogers, owner; Proposal to drill through hard plaster to facilitate removal by hand, per application received 12/11/14. STOP WORK ORDER issued 11/21/14]

Mr. Albrecht gave the staff report with Mr. Volker present on behalf of the application. Mr. Volker stated that the work had been completed by his staff, without his knowledge while he was away at a professional seminar. He further expressed his apologies for the error. Mr. Musso stated that there are lots of options for permissible waterproofing. Mr. Skinner asked if there was any way to fix the work short of removing the plaster completely. Mr. Musso stated that any additional plaster removal and reapplication in order to "complete" already finished work would be punitive and only on the surface because there is no way to reverse the injection of the waterproofing into the masonry behind the surface plaster. Mr. Taylor moved that if the proper documentation has been (or is) submitted, then the staff is allowed to lift the Stop Work Order so that the permit is complete and so that the property records can be complete for future understanding of what has transpired. Mr. Henriquez asked if there was any way to prevent this mistake from happening again. Mr. Volker stated that he dismissed the crew and is employing others who clearly understand his requirements. Ms. Stokes seconded the motion which passed unanimously.

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513 Conti St: Lacey Wotring, applicant; The 307 Company, LLC, owner; Appeal of Architectural Committee denial of proposal to construct new façade gallery, per application & drawings received 12/17/14.

At the applicant's request, this item was deferred prior to the meeting.

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500 Burgundy St: Digna Aguilar, applicant; 937 St Louis LLC, owner; Appeal of Architectural Committee denial of proposal to paint exposed, natural brick, per application received 01/30/15.

Mr. Albrecht gave the staff presentation with Mr. Smith representing the application. Mr. Taylor suggested

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one solution could be the application of stucco over the brick. Mr. Smith stated the owner would be agreeable to stuccoing the building. Mr. Musso stated he would entertain applying stucco in this instance.

Mr. Blanda moved to approve the installation of stucco over the natural brick exterior, contingent upon approval by the Architectural Committee. Ms. Stokes seconded the motion which passed unanimously.

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910 Royal St: Lacey Wotring, applicant; Princess Of Monaco, LLC, Royal Alice Properties, LLC, Johnson N II Barrett, Princess Of Monaco LLC, Katherine K Fugate, Johnson N II Barrett, owner; Appeal of Architectural Committee denial of proposal to install new elevator at rear service wing, per application & drawings received 02/03/15 & 04/07/15, respectively.

At the applicant's request, this item was deferred prior to the meeting.

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**IX. RATIFICATION** of Architectural Committee and Staff actions since the VCC meeting of Wednesday, April 01, 2015.

Mr. Taylor moved, Mr. Skinner seconded, to ratify the actions taken by the Architectural Committee and Staff since the Vieux Carré Commission meeting of April 1, 2015. The motion passed unanimously.

With no further business to be considered, Mr. Taylor moved for adjournment. The motion, seconded by Mr. Henriquez, passed unanimously. The meeting was adjourned at approximately 4:25 PM.

APPROVED: \_\_\_\_\_  
Leslie Stokes, Secretary

NOTE: These minutes are a summary of actions taken and are not a verbatim transcription of the meeting.